

MESSAGE NO: 4006201

MESSAGE DATE: 01/06/2004

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: ADM

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-831

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 12/30/2003 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: CASH DEPOSIT INSTRUCTIONS FOR FRESH GARLIC FROM ' PEOPLE'S
REPUBLIC OF CHINA (XIANGCHENG YISHENG FOODSTUFFS CO., LTD. (A-570-831-007)

MESSAGE NO: 4006201 DATE: 01 06 2004

CATEGORY: ADA TYPE: ADM

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 831 - -

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PERIOD COVERED: 12 30 2003 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: CASH DEPOSIT INSTRUCTIONS FOR FRESH GARLIC FROM '
PEOPLE'S REPUBLIC OF CHINA (XIANGCHENG YISHENG
FOODSTUFFS CO., LTD. (A-570-831-007)

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER
(68 FR 75210) ON 12/30/2003 THE FINAL RESULTS OF A NEW SHIPPER
REVIEW OF THE ANTIDUMPING DUTY ORDER ON FRESH GARLIC FROM THE
PEOPLE'S REPUBLIC OF CHINA (PRC) FOR THE PERIOD 11/01/2001
THROUGH 10/31/2002.

2. AS A RESULT OF THE NEW SHIPPER REVIEW, FOR SHIPMENTS OF FRESH
GARLIC FROM THE PRC PRODUCED BY HENAN YUYU FRUIT VEGETABLES

PRODUCTS CO., LTD. (YUYU), EXPORTED BY XIANGCHENG YISHENG FOODSTUFFS CO., LTD. (A-570-831-007), AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 12/30/2003, CUSTOMS SHALL REQUIRE A CASH DEPOSIT RATE OF 376.67 PERCENT.

3. FOR ALL OTHER COMPANIES NAMED IN THE ANTIDUMPING DUTY MODULE, THE CASH-DEPOSIT RATE IS THE RATE PROVIDED THEREIN EXCEPT FOR PRODUCER / EXPORTER COMBINATIONS OTHER THAN YUYU / YISHENG INVOLVED IN UNCOMPLETED NEW SHIPPER REVIEWS THAT ARE IDENTIFIED IN MESSAGE NUMBER 3199204, DATED 07/18/2003, AND MESSAGE NUMBER 3013204, DATED 01/13/2003. FOR ALL OTHER MANUFACTURERS OR EXPORTERS OF FRESH GARLIC FROM THE PRC WHICH DO NOT HAVE A SPECIFIC RATE IN THE MODULE, THE CASH-DEPOSIT RATE CONTINUES TO BE 376.67 PERCENT. FOR ALL NON-PRC EXPORTERS OF FRESH GARLIC FROM THE PRC, THE CASH-DEPOSIT RATE WILL BE THE RATE APPLICABLE TO THE PRC SUPPLIER OF THAT EXPORTER.

4. IMPORTERS MAY NO LONGER POST A BOND OR OTHER SECURITY IN LIEU OF A CASH DEPOSIT ON IMPORTS OF SUBJECT MERCHANDISE PRODUCED BY YUYU AND EXPORTED BY YISHENG. IMPORTERS OF SUBJECT MERCHANDISE FROM THOSE EXPORTER / PRODUCER COMBINATIONS OTHER THAN YUYU/ YISHENG IDENTIFIED IN MESSAGE NUMBER 3199204, DATED 07/18/2003, AND MESSAGE NUMBER 3013204, DATED 01/13/2003, HAVE THE OPTION OF POSTING A BOND OR OTHER SECURITY DEPOSIT IN LIEU OF A CASH DEPOSIT AT THE RATE OF 376.67 PERCENT. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF THE U.S. CUSTOMS AND BORDER PROTECTION, CUSTOMS OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT). OTHERWISE, AS IN THE CASE OF FRESH GARLIC FROM THE PRC, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTIES, CUSTOMS OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO ADHERE TO THE

REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING

REQUIREMENTS.

5. THESE DEPOSIT REQUIREMENTS WILL REMAIN IN EFFECT UNTIL PUBLICATION OF THE FINAL RESULTS OF THE NEXT REVIEW.

6. DO NOT LIQUIDATE ANY ENTRIES OF THE MERCHANDISE INCLUDED IN THE NEW SHIPPER REVIEW FOR THE PERIOD 11/01/2001 THROUGH 10/31/2002 UNTIL YOU RECEIVE LIQUIDATION INSTRUCTIONS.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, THE IMPORTING PUBLIC, OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 (GENERATED BY G103: JOF).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party